EA

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,601	09/09/2003	Ali Emam Bakhsh	TRW(AP)6650	5274

7590 09/14/2005

TAROLLI, SUNDHEIM, COVELL, & TUMMINO L.L.P.
1111 LEADER BLDG.
526 SUPERIOR AVENUE
CLEVELAND, OH 44114-1400

EXAMINER	
FLEMING, FAYE M	

ART UNIT	PAPER NUMBER
3616	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/659,601	BAKHSH ET AL.	
	Examiner	Art Unit	
	Faye M. Fleming	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *27* is/are allowed.

6)☒ Claim(s) *1-11 and 13-26* is/are rejected.

7)☒ Claim(s) *12* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-11 and 13-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haland, et al. (6,722,691) in view of Henseler, et al (5,205,583).

Haland teaches an airbag comprising a center panel of material having a length and opposite first and second side portions extending along its length; and first and second side panels each having a periphery, the periphery of the first side panel being interconnected with the center panel along the first side portion of the center panel, the periphery of the second side panel being interconnected with the center panel along the second side portion of the center panel, as shown in figure 9. Each of the first and second side panels has a shape configured such that respective portions of its periphery follow a contour of a surface of the instrument panel, the portions of the peripheries each having a the instrument first part shaped to follow a surface of panel presented generally toward an occupant of the vehicle, the portions of the peripheries each having a second part shaped to follow an upper surface of the instrument panel. The first side panel is connected to the first side portion by a first connection, the first extending along the entire length of the portion and along the entire periphery of side panel; first

side the first the second side panel being connected to the second side portion by a second connection, the second connection extending along the entire length of the second side portion and along the entire periphery of the second side panel. As best understood, each of the first and second edge portions has a length, the length of the first edge portion being about equal to a length of the periphery of the first side panel, the length of the second edge portion being about equal to a length of the periphery of the second side panel. The center panel is arranged to form an endless loop of material. The center panel comprises a length of material having opposite end portions spaced along its length, the opposite end portions of the center panel being arranged in an adjacent and overlying relationship with each other and interconnected to form the endless loop of material. Henseler teaches a fill tube extending along a forward edge of the vehicle roof and a portion of the tube is located in the curtain.

Haland is silent to how the panels of the inflatable apparatus made. Henseler teaches an airbag having a center panel, a first side panel and a second side panel wherein each of the end portions of the center panel has an opening 8 extending through the center panel, the openings being aligned with each end portions are interconnected to form the endless loop of material. A retainer portion 10 has an inlet portion and an outlet portion 8, the outlet portion extending through the aligned openings of the center panel and being interconnected with the overlying end portions of the center panel. The outlet portion of the retainer portion is interconnected with the center panel along an entire periphery of the aligned openings. The inlet portion of

the retainer portion receives a tube for delivering inflation fluid from an inflation fluid source into an inflatable volume of the windshield curtain to inflate the windshield curtain. The retainer portion comprises overlying panels interconnected with each other along a portion of their respective peripheries, the panels of the within the retainer portion being interconnected peripheries inflation fluid into the windshield curtain to form connections for helping to direct inflation fluid into the windshield curtain. Each of first portion and a second portion extending transverse the first and second side panels has a to the first portion, the first portions and portions of the center panel extending between the first portions helping to define a first chamber of the windshield curtain, the second portions and portions extending between the second of the center panel portions helping to define windshield curtain, the first chamber being inflatable along generally toward the vehicle occupant, the second chamber being inflatable along the windshield and a second chamber of the surface of an instrument panel presented surface of the instrument panel adjacent the windshield. The second chamber has a tapered configuration in which the second chamber has a first width at a location adjacent the first chamber, the second chamber being tapered down to a second width less than the first width at a location spaced from the first chamber, see figure 1. Each of the first and second side portions of the center panel has a cutout portion that reduces the width of the center panel and helps form the tapered configuration of the second chamber. The windshield curtain when inflated extends between a passenger side A pillar and a longitudinal centerline of the vehicle. The windshield curtain when

inflated extends between a driver side A pillar and a longitudinal centerline of the vehicle and between a passenger side A pillar and the longitudinal centerline of the vehicle. The windshield curtain when inflated overlies at least a portion of an A pillar of the vehicle. Based on the teachings of Henseler, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Haland to have the above specifics to define a inflatable volume.

Allowable Subject Matter

3. Claim 27 is allowed.

4. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments filed June 30, 2005 have been fully considered but they are not persuasive. In response to Applicant's argument that the prior art, U.S. Patent 6,722,691 to Haland, et al., does not discuss the shape or configuration of any panels used to construct the airbag, it is inherent that the airbag will follow the contour of the instrument panel. Further, the references clearly teaches the claimed structure.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye M. Fleming whose telephone number is (571) 272-6672. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

09/09/05

Faye M. Fleming
Primary Examiner
Art Unit 3616